

Hand-Delivered

FILED
CHARLOTTE, NC

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

MAY 13 2019

US DISTRICT COURT
WESTERN DISTRICT OF NC

LISA CAROL RUDISILL

Plaintiff,

Amended
COMPLAINT

vs.

Case No. 3:19 cv 226-RJC

NORTH CAROLINA
BOARD OF ELECTIONS

Defendant(s).

A. JURISDICTION

Jurisdiction is proper in this court according to:

☒ 42 U.S.C. §1983

☐ 42 U.S.C. §1985

☐ Other (Please specify) _____

B. PARTIES

1. Name of Plaintiff:
Address:

LISA CAROL RUDISILL
7101 LONDONTOWNE DR
CHARLOTTE NC 28226

2. Name of Defendant:
Address:

NORTH CAROLINA BOARD OF ELECTIONS
430 N. SALISBURY ST (3rd floor)
RALEIGH NC 27603-5919

Is employed as _____ at _____
(Position/Title) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred? YES ☒ NO ☐ if "YES" briefly explain:

The N.C. Board of Elections was acting to determine
validity of a complaint regarding election results of
2018 9th CONGRESSIONAL NC DISTRICT Election

3. Name of Defendant: _____
Address: _____

Is employed as _____ at _____
(Position/Title) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred? YES _____ NO _____, if "YES" briefly explain:

4. Name of Defendant: _____
Address: _____

Is employed as _____ at _____
(Position/Title) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred? YES _____ NO _____, if "YES" briefly explain:

(Use additional sheets if necessary.)

C. NATURE OF CASE

Why are you bringing this case to court? Please explain the circumstances that led to the problem.

The NC Board of Elections improperly investigated
the 9th Congressional Dist. 2018 Election without legal basis that the
"tainted" activities were substantial enough to change election outcome.
This violates my rights as a district voter by overturning that election.

D. CAUSE OF ACTION

I allege that my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach additional pages)

- a. (1) Count 1: NC Board of Elections failed to adequately and honestly secure my vote.
(2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly in your own words without citing any legal authority. Use additional sheets if necessary.) SEE ATTACHED COMPLAINT SHEETS
Officials of NC BOE improperly investigated the 9th Dist results, pressured Harris to withdraw, changed the board's composition, and refused to investigate an earlier election for governor involving alleged tainted votes.
- b. (1) Count 2: _____
(2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly in your own words without citing any legal authority. Use additional sheets if necessary.)

E. INJURY

How have you been injured by the actions of the defendant(s)?

I, as a voter in the 9th Congressional District, had my voting rights violated and a legitimate governance of election was not done properly. By changing the election outcome through re-appointment of election officials, pressure upon Harris resulting in his withdrawal, and even discounting of ~~any~~ similar call for investigation in previous election, these officials have improperly secured my voting rights.

F. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

Have you filed other lawsuits in state or federal court that deal with the same facts that are involved in this action? YES _____ NO X

If your answer is "YES", describe each lawsuit. (If there is more than one lawsuit, describe additional lawsuits on additional separate pages, using the same outline.)

1. Parties to previous lawsuits:

Plaintiff(s): NA

Defendants(s): _____

2. Name of court and case or docket number:

3. Disposition (for example, was the case dismissed? Was it appealed? Is it still pending?)

4. Issues raised:

5. When did you file the lawsuit? _____
Date: Month/Year

6. When was it (will it be) decided? _____

Have you previously sought informal or form relief from the appropriate administrative officials regarding the acts complained of in Part D? YES _____ NO _____

If your answer is "YES" briefly describe how relief was sought and the results. If your answer is "NO" explain why administrative relief was not sought.

G. REQUEST FOR RELIEF

I believe I am entitled to the following relief:

I Ask for an injunction to stop current election activities and a federal investigation to determine improper actions in voting occurring with N.C. Board of Election's failure to secure votes with due process by supervision of an impartial, non-political board. Those serious actions undermine my civil rights to a fairly-elected and properly maintained government by elected officials

JURY TRIAL REQUESTED YES _____ NO X

Signed at Charlotte NC on 5/13/19
(Location) (Date)

Lisa Rudisill
Signature

Address: 7101 Lombotowne Dr
Charlotte NC 28226

Phone: (980) 228-6195
E-Mail: gods.lisaru@aol.com

PLAINTIFF: Lisa Carol Rudisill,
registered voter, 9th Congressional District, NC
7101 Londontowne Dr
Charlotte NC 28226

COMPLAINT AGAINST: NORTH CAROLINA BOARD OF ELECTIONS &
GOVERNOR ROY COOPER

DATE: May 10, 2019

COMPLAINT: I, Lisa C. Rudisill of Charlotte, a registered voter in the 9th NC Congressional District, allege that the N.C. Board of Elections took illegal actions in its questioning of the 2018 9th Congressional District Election results in which Mark Harris won by number of votes, causing the 283,717 votes of this election to be discounted and a new election to be called; that the standing Board of Elections officials who investigated this election did not have sufficient proof before investigation that the "tainting" of the election would affect the outcome in terms of number of votes cast; that in fact, upon the final conclusion of the investigation, ~~that~~ the number of votes in question did NOT affect the actual vote outcome, thus they did NOT overturn the election results; that through unfair pressuring of the winning candidate in a hearing which should not have been called they caused the winning candidate, Mark Harris, to withdraw due to much adverse publicity; that their actions violated state elections law.

Further, as an informed voter, I maintain that with another election (then incumbent Governor Pat McCrory vs current Governor Roy Cooper) in which such questions of voter manipulation were raised, questions were discounted by the state Board and new elections were NOT called for, making unfair and unequal treatment within this state and violating the voters express right to fair elections in the state.

It is also charged that the vote to create a new Ethics Board for the Board of Elections which was passed last November by voters was used to affect this current election unfair^{ly}, with appointees to the board of the governor's political^{Party} being made in the early part of this election investigation of Mark Harris which "taint" the

outcome of this investigation and cause substantial and unfair effects in the resulting investigation of Mark Harris.

I bring these charges as a citizen of North Carolina, a registered and active voter, and a voter within the 9th Congressional district of this state.

AS A RESULT OF THE ILLEGAL ACTIONS WHICH CAUSED THE NOVEMBER 2018 9TH CONGRESSIONAL ELECTION TO BE CONCEDED BY WINNING CANDIDATE MARK HARRIS, I, AS A CITIZEN VOTER WITHIN THIS CONGRESSIONAL DISTRICT, CALL FOR AN INJUNCTION TO STOP THE CURRENT ~~PRIMARY~~ RE-ELECTION FOR THE 9TH CONGRESSIONAL DISTRICT WITH GENERAL ELECTION DATE BEING MAY 14TH, 2019.

Entered May 10, 2019
Charlotte, North Carolina

DOCUMENTS SUPPORTING MY CASE:

Article from “The Conservative Action Report” detailing the events (with references) that transpired with the Governor McCrory vs Cooper election as well as the events regarding this case surrounding Mark Harris’s election overturning;

Board of Elections Print Screens from Internet: Journal Detailing Chronology of Dates of Actions Surrounding the Investigation of Mark Harris and results, including Board of Elections board changes.

Statement of Number of Votes Cast and the Lack of Effect that the Removal of Absentee Votes for Mark Harris actually had in the election results—NONE.

The Conservative Action Report

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March-April 2019
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North Carolina Election Board Fails to Do Its Duty in Investigation of Harris-McCready Election

What the
media failed to tell you

By William G. Carter

Our story begins on election night 2016 (not 2018). Incumbent N.C. Gov. Pat McCrory seeking a second four year term trails Roy Cooper (the Democratic candidate and Attorney General) by 5,000 votes



Pat McCrory

as the polls close. The 5,000-vote lead held by Cooper represents a tiny fraction of the 4.6 million votes cast.

Gov. McCrory suspects election fraud and in December 2016 files a complaint

with the North Carolina Board of Elections. The complaint alleges a small group of individuals in Bladen County are manipulating absentee ballots to inflate McCrory's opponent's vote totals. The Bladen County Improvement Association PAC (focused on "get out the vote" absentee ballots in the African-American community) has received money from the North Carolina Democratic Party to fund an absentee ballot vote campaign. Sound familiar? (Source: WBTV Charlotte, Feb. 29, 2019)

The N.C. Board of Elections rejects McCrory's complaint, ruling the attorneys for the Republicans have not presented "substantial evidence sufficient to change the outcome of the election." This criterion is standing State Law in North Carolina.

So if a plaintiff cannot prove his opponent stole enough votes to overturn his opponents' lead, nothing is actionable. A "tainted" election has no standing in North Carolina law.

McCrory then files a complaint with the North Carolina State Bureau of Investigation or NCSBI.

Neither complaint is acted upon. McCrory suspects election fraud in other counties and ends up challenging the absentee ballots in 52 of 100 North Carolina counties in his complaint, but the investigation never occurs.

McCrory says, "If a Democrat is behind in an election, it's enough to say the election is 'tainted' without producing proof of vote fraud sufficient to change the outcome of the election, while if a Republican is behind, the State doesn't even call a hearing." (Source: WBT Charlotte Radio Feb. 20, 2019)

Fast forward to the Nov. 6, 2018 Ninth

(Continued from page 1)

On day two of the hearing, one Lisa Britt appeals as a witness. She testifies that she was hired by McCrae Dowless to collect absentee ballots (a violation of the law). This is evidence of a "tainted" election, but it does not meet the Standard of NC Election as "sufficient to change the



Mark Harris

outcome of an election."

On the basis of Britt's testimony, the *Charlotte Observer's* editorial board runs an opinion column titled, "We've Heard Enough," which states that the hearing was a proceeding to determine if Republican Mark Harris' victory over Democrat Dan McCready on Nov. 6, 2018 was "tainted." It ends saying that the NC Board of Elections doesn't need proof that at least 905 votes were tampered with, or that Harris knew it was happening. Correction: IT MOST CERTAINLY DOES!

That is to be in compliance with state law of "substantial evidence sufficient to change the outcome of the election must be presented.

Lisa Britt also testified that "Mark Harris had no knowledge of the workings of the Dowless operation."

That McCrae Dowless violated the rules for collecting absentee ballots appears obvious. That this changed the outcome of an election where 283,717 people voted is not evident.

If you eliminate every absentee ballot that Mark Harris got in Bladen County (420) and Robeson County (259) (source: Raleigh News & Observer, Feb. 15, 2019), thus eliminating the effects of the Dowless absentee vote campaign from the election, and allowing Dan McCready's campaign to keep all the absentee ballots, Mark Harris still wins by 226 votes. That is, as the Democrats say, "if every vote counts." (420 + 259 = 679 minus Harris 905 vote lead = a victory by 226 votes.

On day four of the hearing, after John

Harris testifies against his own father, Harris, demoralized and surrounded by enemies, capitulates and gives his enemies what they want: a new election.

Shortly afterward, McCready's attorney Mark Elias calls for an abrupt end to the hearing and Roy Cooper's Election Board quickly complies. Thus it appears that Mark Harris walked into an ambush—a hearing whose only goal was to force a new election and trash the ballots of 283,717 voters.

According to Pat McCrory, the reason Elias moved to close the proceedings was to eliminate any possibility of other witnesses being called who were there to testify about the activities of a Democratic Party apparatus that was conducting its own absentee ballot campaign that functioned just like the Dowless group. (Source: Pat McCrory, "Pat McCrory Show," WBT Charlotte, Feb. 26, 2019)

In addition, there are witnesses who say individuals with the Bladen County Improvement PAC group picked up their ballots (which is a violation of NC State Election law). Three men with the Bladen County Improvement PAC collected more than 400 signatures. (Source: WBT Charlotte, TV Feb. 25, 2019, 6:38 p.m. and 7:12 p.m.)

In addition, Dan McCready never appeared at these proceedings. So, he was unavailable to answer anything if called to do so. So exactly what kind of a hearing was this?



Lisa Britt

We now know that McCrae Dowless has worked in many other campaigns, mostly Democrats. DID he arrange the "Absentee Ballot Campaign" in Bladen County for Roy Cooper in 2016, the one Pat McCrory filed a complaint about? Well, we don't know, but I'd lay odds he did!!!

What we did discover was that Dowless testified in "CLOSED SESSION" before Cooper's handpicked election board and what he disclosed to them was so unsettling that the Board "refused to compel him to testify before them in an open session (which was never reported by the print media in North Carolina).

Source: NBCNews.com, Feb. 19, 2019, by Leigh Ann Cardwell

Besides, the goal of the hearings that began on Feb. 18 was to STOP MARK HARRIS, not to let the truth of McCrae Dowless' other efforts out in the sun for all to see.

It is evident that the pro-LGBTQ *Charlotte Observer* and their owners in California were not going to allow Mark Har-

District Congressional Election.

Mark Harris wins the NC Ninth District Congressional election by 905 votes. Dan McCready, the Democrat, concedes defeat and all appears finished until Joshua Malcolm, Vice Chairman of the NC Board of Elections, an attorney by trade and a Democrat by choice, declares the Ninth District race is tainted and makes a motion that the Election Board not certify the election. The NC Election Board so votes, and declares a hearing for Dec. 21 to hear evidence of election irregularities.



Dan McCready

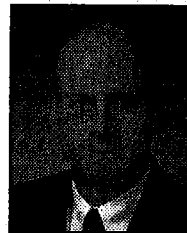
The hearing set for Dec. 21 is postponed until Jan. 11 and then to Feb. 18. During this time, *The Charlotte Observer* conducts a campaign to convict Mark Harris in the "court of public opinion." Harris states on Feb. 9 that the Democrats and liberal media have "spared little expense disparaging his good name."

On Feb. 18, the long awaited hearings, conducted by a new five man NC Board of Elections, begins. This Board is hand-picked by Democratic Gov. Roy Cooper and is composed of three Democrats and two Republicans, a built-in advantage for the Democrats.

Marc Elias, a nationally recognized attorney for the National Democratic Party, is on hand to represent Democrat Dan McCready. Elias, when asked, refuses to disclose who is paying his legal bill, which

will surely be large. In contrast, Mark Harris hires an attorney at his own expense.

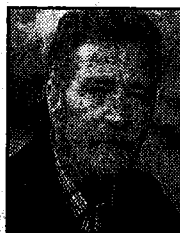
Elias never takes the position that there is "substantial evidence sufficient to change the outcome of the election." He ignores the criteria used to refuse Pat McCrory a hearing in 2016 and chooses instead to attack Mark Harris for ignoring his son John Harris' advice not to hire McCrae Dowless, a political operative in Bladen County. Dowless is involved in a vote fraud allegation that he and seven other people he employed actively collected



Mark Elias

absentee ballots on behalf of Mark Harris (a violation of NC law).

Elias hopes to show that Harris knew of Dowless' illegal absentee vote scam by showing that his son John had warned him about Dowless by emails.



McCrae Dowless

Meanwhile, Andy Yates, co-founder of "Red Dome Group," a political consulting firm that was hired by Mark Harris to help manage his campaign, testifies that "McCrae Dowless knew the details of absentee ballot law well and that he believed Dowless and his workers were following the law carefully." Source: *Charlotte Observer*, page 1, Feb. 20, 2019.

See Harris-McCready, page 3

Pat McCrory says in the Feb. 18 hearing that Mark Elias (Dan McCready's lawyer) and Gov. Roy Cooper's hand-picked election board, did not want any testimony made public about the Bladen County Improvement PAC during the Feb. 18-21 hearings.

(continued from page 1)

ris, former head of N.C. Southern Baptist Convention and leader of the campaign in North Carolina to have a State Constitutional Amendment defining marriage as between one man and one woman (which won by 61 percent of the vote) to become the new congressman in the Ninth Con-

gressional District. spent \$6 million to \$2 million) pulled off an upset election and actually won? We will most likely never know because of the shoddy investigation by Roy Cooper's Election Board.

In closing, will the voters of the N.C. Ninth Congressional District allow a Cali-

Dan McCready, Democrat candidate for Congress in North Carolina's Ninth District, refuses to go on the Pat McCrory show. (WBT Charlotte Radio)

ifornia-owned leftist newspaper, *The Charlotte Observer*, to shoehorn their candidate into Congress and ram their leftist agenda down our throats? It's time to resist!

Was the knowledge of McCrae Dowless' past activities on behalf of the Democrats the "ultimate insurance policy" the Democrats possessed in case Harris (out-

If you subtract every absentee vote Mark Harris received and allow Dan McCready to keep all of his absentee votes, Mark Harris still wins by 226 votes!

**NUMBER OF VOTES CAST IN ELECTION OF
NORTH CAROLINA 9TH CONGRESSIONAL DISTRICT
IN OCTOBER/NOVEMBER 2019 & THE EFFECTS OF
REMOVAL OF ABSENTEE VOTES FOR HARRIS
IN COUNTIES IN QUESTION: ROBESON AND BLADEN**

MARK HARRIS VOTES

139,246

DAN MCCREADY VOTES

138,341

JEFF SCOTT VOTES

5,130

* Election Won by Harris—Margin was 905 VOTES *

MARK HARRIS TOTAL VOTES

TO WIN ELECTION →
Less Total of All Absentee Votes Bladen County

905
- 437

Less Total of All Absentee Votes Robeson County

468
- 259

Remaining Total Mark Harris Votes:

209

OUTCOME OF ELECTION NOT AFFECTED

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